UNITED STA	TES DISTI	RICT C	OURT	
NORTHERN	DISTRICT	OF NE	W YO	RK

ELLIS DOUGLAS,

Plaintiff,

٧.

No. 9:05-CV-1000 (GTS/DRH)

M. KETZER, Corr. Officer; R. CROSS, Corr. Officer; G. KARASMANOS, Corr. Officer; M. SUTTON, Corr. Officer; McGUIRE, Corr. Officer,

Defendants.	

JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT

The Court has been advised by United States Magistrate Judge David R. Homer that the parties in the above-captioned case have reported to him that the case has been settled. Counsel has also advised Judge Homer that no infant or incompetent is a party to this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

ORDERED that:

- 1. The above-captioned case is hereby **DISMISSED** in its entirety **without** prejudice to re-opening upon the motion of any party within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated;
- 2. The dismissal of the above-captioned case shall become with prejudice on the thirty-first day after the date of the filing of this order unless any party moves to re-open this case within thirty (30) days of the date of the filing of this order upon a showing that the settlement was not consummated; and

3. The Clerk shall forthwith serve this Judgment upon the attorneys for the parties appearing in this action by electronic mail.

IT IS SO ORDERED.

DATED: August 6, 2009 Albany, New York

Hon. Glenn T. Suddaby U.S. District Judge